tion to erect or re-erect any building, apply to the President, who shall, upon receipt of such application, give the said person within a week such information as in the circumstances may be necessary.

Penalteis:—Every person who shall commit any breach of any of the foregoing bye-laws shall be punishable with a fine which may extend to Rs. 50, on conviction before a Magistrate, as provided in the Mysore Municipal Regulation, VII of 1906, Section 96(5).

B. VENKATARAMA RAO,
President.

SHIMOGA TOWN MUNICIPALITY.

Notice dated 17th April 1925.

It is hereby notified that the right of levying tolls on carts entering the limits of the Town Municipality of Shimoga during a period of one year, from 1st July 1925 to 30th June 1926, will be put to public auction at 12 noon on Friday the 22nd May 1925, in the Town Municipal Office by the President or by the Vice-President of the Municipality.

2. Persons intending to bid at the auction must attend in person or by a duly accredited agent. Every such person shall deposit beforehand a sum of Rs. 100 as earnest money. The deposits made by unsuccessful bidders will be returned at the close of the sale. The deposit of the successful bidder who will be called the contractor will be returned only on fulfilment of the contract.

3 The sale will not become absolute until confirmed by the President who reserves the final power of refusing or accepting, without assigning any reason whatever, the highest or any bid that may be offered.

4. The successful bidder hereinafter termed contractor shall, on the sale being knocked down to him, at once deposit a sum sufficient to make up with his previous deposit three-twelfths of the amount of his bid. He shall, within fifteen days of the receipt of intimation of confirmation of the sale in his favour, execute an agreement on a duly stamped paper binding himself and his heirs to observe the conditions hereinafter set forth and to be subject to the penalties, forfeitures and liabilities referred to therein and shall also furnish, if he does not hold property in Mysore, at least two sureties who own sufficient properties in the Mysore State for the due performance of the contract. If default is made either in making the deposits or in executing the agreement as above, the amounts, if any, already deposited will be forfeited and the right to collect the toll shall be forthwith resold or otherwise disposed of by the President.

5. The contract amount is payable in twelve monthly instalments due on or before the 20th of the following month. If default is made in the payment of instalments, the contractor will forfeit the deposit and the unexpired portion of the contract will also be liable to be sold and the deficit will be recovered from the contractor, who shall not be entitled to the profit, if any.

6. The contract shall not be transferred by sale, gift or otherwise, or sub-leased without the previous sanction of the Municipal Council.

7. The contractor shall have no claim to the fees recovered from persons compounding the payment of toll in accordance with the Standing Rules and Orders approved by Government. He shall also pay along with the instalments, the authorized Local, Railway and Educational Cesses, if any, at the prescribed rates.

8. Interest at 9 per cent per annum shall be levied on all overdue amounts till date of payment.

9. The contractor shall collect tolls at the temporary sheds to be put up at the Municipal boundaries on the Bhadravati Road, the Holehonnur Road and the Jail Road and at the Ookads built on the Honnali Road, Tirthahalli Road, Sagar Road, Shikarpur Road and at the rates detailed below:—

		Rs.	a.	p.
1.	Cart drawn by one or more pairs of bullocks, buffaloes, horses, ponies, asses or mules when laden ...	0	4	0
2.	Do do when empty ...	0	2	0
3.	Cart drawn by one bullock, buffalo, horse, pony, ass or mule when laden	0	2	0
4.	Do do when empty ...	0	1	0
4(a).	The presence in the cart of two days' supply of fodder or gram or kadale, not exceeding ten seers per cart for the use of the animals, and flour or rice or ragi or any other food grains not exceeding seven seers per cart, together with necessary utensils for the use of the owner, shall not bring the cart under the category of laden carts.			

10. The contractor shall give to the person paying the toll a proper receipt showing the date and hour of payment of toll.

11. The contractor shall keep at the toll-gate, true accounts of the daily collections and of the traffic passing through the toll-gates and at the end of every month a copy

thereof shall be sent to the Municipal Vice-President for check. These accounts shall be open to the inspection of the President, the Vice-President or such other officer or Councillor of the Municipality as the President may specially authorise in this behalf. He shall, if required by the Municipal President, furnish to the Municipal Office at the end of every month, a true return for the month showing the traffic passing through the gate in the prescribed form.

12. The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or any other cause whatever.

13. The contractor will have the use of the existing toll-house and gate without payment of any rent, and he should keep them in good repair, failing which, the cost of repair will be recovered from him.

14. The contractor shall conform generally to the rules published in the late Chief Commissioner's Notification No. 274, dated 4th November 1876, and the rules framed by the Municipal Council under the Municipal Regulation. He shall recognize all exemptions made by the statute or rules in force for the time being. He shall pay special attention to the following points:—

(*a*) A table of authorized tolls shall be legibly written in English and Kannada and shall be put up in a conspicuous place near every toll-gate.

(*b*) Animals drawing any vehicles for which tolls can be demanded are not also to be charged with toll.

(*c*) No toll shall be levied on carts on which mohatarfa tax has been levied by the Municipality. Such carts will be numbered by the Vice-President of the Municipality who will issue a pass therefor.

(*d*) No toll shall be levied afresh on any cart, etc., passing along the toll-gate, if within a period of twenty-four hours computing from sunrise to sunrise, a toll has been collected thereon at a toll-gate in the Mysore State or a toll-gate in British India in respect of which the Government have secured reciprocity for exemption in consultation with the British Authorities.

(*e*) Carts laden with bone or other substance as manure shall be treated as unladen and tolled accordingly.

(*f*) No toll shall be levied on foot passengers.

(*g*) No toll shall be levied for the passage of Troops or Military Stores or equipages or of Police Officers on duty or of any person or property in their custody or of any property *bona fide* belonging to Government as established, where proof is required, by the production of a pass or certificate from any officer of the Department to which the property belongs, authorised by the Deputy Commissioner or by Government to grant such certificates or passes, which pass or certificate shall be delivered up at the last toll-gate passed before the cart, carriage or animal, conveying such property reaches the destination noted in such pass or certificate, and also on carrying contractor's carts conveying timber of the Forest Department.

(*h*) No toll shall be levied for the passage of carriages, carts, animals, etc.—

(1) Belonging to Municipal Councils.

(2) Conveying Municipal servants on duty or property in the custody of such servants.

(3) Licensed by the Municipal Council.

(4) Assessed by the Municipal Council to Municipal taxation provided the tax has been paid in advance.

(5) Possessed by a person who has compounded with the Municipal Council for a prescribed sum in accordance with the rules approved by Government.

(6) Engaged by the Postal Department to convey Mails.

(7) Belonging to the Honourable the British Resident in Mysore.

(8) Belonging to Government servants travelling on duty who are certified by their respective immediate superiors as being not entitled to travelling allowance.

(9) Belonging to His Highness the Maharaja or His Highness the Yuvaraja.

15. Any breach of the above conditions or rules on the part of the contractor or his servants will entail the forfeiture of the deposit or the levy of a fine not exceeding Rs. 50, per each infringement. If the fine be not paid or in the event of instalments or other sums due are not paid within the prescribed date, it shall be competent to the President, to suspend further collection of toll by the contractor and to dispose of the right to collect the toll during the remaining period by a resale or otherwise. The resale will be held at the risk of the defaulting contractor who shall be liable to make good all losses accruing, but shall not be entitled to any profits arising from the resale.

16. The imposition of fine or resale of the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being.

K. SUBBA RAO NAIK,
For *President*.